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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 DENNIS MARTEL,

11 Plaintiff,

No. CIV S-04-0014 DFL PAN P

12 vs.

13 CALIFORNIA DEPARTMENT
14 OF CORRECTIONS, et al.,

15 Defendants.

ORDER

16 _____/
17 Plaintiff, a state prisoner proceeding pro se, has filed this civil rights action
18 seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate
19 Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local General Order No. 262.


20 On June 10, 2005, the magistrate judge filed findings and recommendations
21 herein which were served on plaintiff and which contained notice to plaintiff that any objections
22 to the findings and recommendations were to be filed within twenty days. Plaintiff has not filed
23 objections to the findings and recommendations.

24 The court has reviewed the file and finds the findings and recommendations to be
25 supported by the record and by the magistrate judge's analysis. Accordingly, IT IS HEREBY
26 ORDERED that:

1 1. The findings and recommendations filed June 10, 2005, are adopted in full;
2 and

3 2. Claims against defendants Cal A. Terhune, Tom Carey and the Department of
4 Corrections are dismissed without prejudice.

5 Dated: 8/22/2005

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9 DAVID F. LEVI
United States District Judge

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